

UNITED STATES DISTRICT COURT
for the
Southern District of Georgia
Augusta Division

CV122- 143

) CIVIL CASE;

) DECLARATORY JUDGMENT

Sharon Bush Ellison
(plaintiff)

)

COMPLAINT

FILED
U.S. DISTRICT COURT
AUGUSTA, GA.
2022 NOV -8 P 12:09
CLERK
SO. DIST. OF GA.
X

Pursuant to Title 28 Judiciary and Judicial
procedure Any Court of the United States
upon the filing of an appropriate pleading
may declare the Rights and other Legal
Relations of any Interested Party seeking
Such Declaration Whether or not Further
Relief is or could be sought.

Any Such Declaration shall have the
force and effect of a Final Judgement or decree
and shall be reviewable as such.

The Above Captioned Plaintiff seeks a
Declaratory Judgment on these basis;

The plaintiff has applied for financial Rental Assistance being offered in support of AGENCY Funding disbursed from appropriations attached to Legislation enacted in support of Eviction moratorium protections.

It has been more than (6) six weeks since the Plaintiff has submitted her Application to the State Agency served Certified Mail Services.

Yet the Agency refuses to acknowledge the application. After trying to make additional Phone and Email contact with the Agency Commissioner and Board, the Plaintiff has contacted the Deputy Assistant Secretary and Office of General Counsel of Housing at the Federal Level of Government. The Plaintiff has requested the Deputy Assistant Secretary to reinstate her last issued Executive Order which required the Halting of Evictions sometimes around the 2021 Fiscal Year. The Request was made approx Oct 8, 2022.

A copy of the communication was also served upon the Landlord of the Plaintiff in this federal Action for Declaratory Judgment. The Landlord to the Plaintiff (hereafter herein "Federal Court Plaintiff") also submitted an Application for Financial Assistant in support of the ~~Federal~~ "Federal Court Plaintiff's" Application.

To date, there has been no response from Caseworker, of the State Agency, the Commissioner or Board, neither the Deputy Assistant Secretary or General Counsel of the Federal Housing Agency.

The landlord have become impatient and since the submitting of her application agreeing to wait for Agency Contact after an initial payment of \$1860.00 have gone to the Magistrate Court of Richmond County, Georgia in pursuit of Eviction. To which an Affidavit in support of was filed from the Landlord.

The "Federal Court Plaintiff" has filed the Response November 8, 2022 Time limitations that includes

Motion to Transfer, Motion to Stay
in anticipation of the Dispossessory Proceeding being Stayed
and the Magistrate Judge entering Order Transferring
the Matter to the State Court of Richmond County Georgia in the Case
In that Court Forum, A hearing to determine if the affidavit
from the Landlord meet the perjury basis,
will be scheduled.

The "Federal Court Plaintiff" has filed Motion for Stay:
Seeking a Written Order of Stay in the Magistrate Court.

The "Federal Court Plaintiff" in the above captioned
case has contacted the Deputy Assistant Secretary
and office of General Counsel of Housing at the
Federal Level of Government.

The "Federal Court Plaintiff" in the above captioned
case has requested the Deputy Assistant Secretary
of Housing to reinstate her last issued Executive Order
which required the halting of Eviction sometimes
around the 2024 Fiscal year.

The Request was made around October 8 2022.

A copy of the communication was also served upon
the Landlord of the Plaintiff in this Federal Action
for Declaratory Judgment.

The Landlord has received from a separate Agency
\$1860 one Thousand Eight Hundred Sixty Dollars, as
an initial payment with the Landlord's Understanding
that there would be no Eviction while the Tenant-

"Federal Plaintiff herein" waited for additional Agency Funding.

The Landlord signed an agreement that the financial
Assistance would be provided from funding disbursed
from the Fiscal Year 2023 Consolidated Appropriations Act.

The Consolidation includes Appropriations from the "Cares Act"

This is wonderful for many Americanians who may have experienced various hardships during the 2020, 2021 and even during 2022.

However the Cares Act includes an "Eviction Moratorium" due to the Pandemic which prevented landlords from seeking eviction.

Although the "Cares Act" from which the Housing Urban Development offers Shortfall Funding, the original provisional protections require "Halt of Evictions" to protect tenant rights during long waits for processing Applications regarding Pandemic Financial Hardship Rental Assistances.

Without the Executive Instructions halting evictions, Public Housing Agencies are demonstrating Gross Abuses of Discretions in their Regulatory Processing Procedures

There upon, making the Shortfall Funding to Public Housing Authorities under guise of Pandemic Rental Hardship illegal Funding.

The "Federal Court Plaintiff" request an Order declaring the Rights of the Tenant herein "Federal Court Plaintiff to be in Compliances to the Halt of Evictions "Cares Act"

"Eviction Moratorium Protections.

This 4 day of November 2022

Sharm Bush EOlson
PRO SE

CERTIFICATE OF SERVICE

The above named Plaintiff in the attached Complaint for Declaratory Judgment has hand delivered the Complaint to the office of the clerk, in lieu of the original copy mailed for filing in the mail of the United States.

Said mailed copy had not reached the office of the clerk as informed from the office of the clerk approx 12:11 pm;

November 8, 2022, for service upon the clerk of the District Court Southern District, Augusta Division of the United States.

This 8 day of November 2022

Sharon Bush Ellison
PRO'SE

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